



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jeremy E. Dahl et al.

Application No.: 10/621,956

Filing Date: July 16, 2003

Title: OPTICAL USES OF DIAMOND-CONTAINING MATERIALS

Group Art Unit: 2828

Examiner: JAMES A MENEFFEE

Confirmation No.: 2018

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ Terminal Disclaimer(s) and the ☐ \$65.00 (2814) ☐ \$130.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are _____

☐ Small entity status is hereby claimed.

☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.

☐ Applicant(s) previously submitted _____

_____ on _____
for which continued examination is requested.

☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims		MINUS =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims		MINUS =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

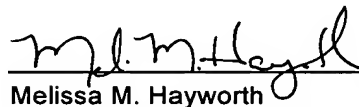
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: August 5, 2005

By



Melissa M. Hayworth
Registration No. 45,774

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Jeremy E. Dahl, et al.)

Application No.: 10/621,956)

Filed: July 16, 2003)

For: OPTICAL USES OF DIAMONDROID-)
CONTAINING MATERIALS)

Group Art Unit: 2828

Examiner: Menefee, James A.

Confirmation No.: 2018

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In complete response to the Office Action dated July 6, 2005, Applicants submit the following response.

In the Office Action, the Examiner has withdrawn the previous restriction requirement and has replaced it with a new requirement in which the Examiner identifies thirteen (13) patentably distinct species from which Applicants are to elect anew. The distinct species set for by the Examiner are as follows:

1. Solid-state dye laser (claims 4-14, 62-63).
2. Semiconductor laser (claims 15-26, 64-65).
3. LED (claims 27-36, 66-67).
4. Photodetector (claims 37-46; 68-69).
5. Photoresistor (claims 47-50).
6. Phototransistor (claims 47-50).
7. Photovoltaic cell (claims 47-50).
8. Solar cell (claims 47-50).
9. AR coating (claims 51-57, 70).
10. Lens (claims 58-61).
11. Mirror (claims 58-61).
12. Pressure window (claims 58-61).
13. Waveguide (claims 58-61).

Applicants respectfully traverse the election of species requirement as set forth in the Office Action. Nevertheless, in order to comply with the requirements of 37 C.F.R. § 1.146, Applicants hereby elect, with traverse, the species identified by Group 10, Lens (Claims 58-61), for the purposes of searching only. It is believed that claims 1-3 and 58-61 are readable upon the elected species as defined above.

Applicants note with appreciation that in the Office Action the Examiner has indicated that generic claims 1-3 will be examined regardless of the elected species and has further indicated that the claims will be restricted to the elected species if no generic claim is held to be allowable.

Applicants have no intention of abandoning any non-elected subject matter and should it be necessary, Applicants expressly reserve the right to file one or more continuation and/or divisional applications directed to non-elected subject matter.

The Examiner is invited to contact the undersigned at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

In the event any further fees are due to maintain pendency of this application, the Examiner is authorized to charge such fees to Deposit Account No. 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By Melissa M. Hayworth
Melissa M. Hayworth
Registration No. 45,774

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Dated: August 5, 2005